

a diplexer for extracting from the media network signals from the telecommunications network and inserting onto the media network signals from the residential gateway.

49. (Amended) The system of claim 48, wherein said media interface device further includes a combiner for combining the at least one TV signal into a combined TV signal and said splitter splits the combined TV signal.

REMARKS

This Amendment and Response responds to the Office Action mailed January 31, 2003. Claims 1-58 are pending in this application. By this Amendment and Response, claims 21-31 and 47-49 have been amended. No new matter has been added.

Claims 1-8, 18-25, 31, 32, and 34-47 stand rejected under 35 U.S.C. § 102(b) as being anticipated by international patent application no. WO 98/37648 (Eames, *et al.*). Claims 1, 3-5, 7, 11-19, 21, 22, 29, 30, 32, 33, 47-53, and 55-57 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,418,149 (Swisher, *et al.*). Claims 9, 10, and 26-28 stand rejected under 35 U.S.C. § 103(a) as being obvious in light of Eames, *et al.*

Claims 54 and 58 stand objected to as depending upon rejected claims, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejections Under 35 U.S.C. § 102(e)

Claims 1, 3-5, 7, 11-19, 21, 22, 29, 30, 32, 33, 47-53, and 55-57 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Swisher, *et al.* In the discussion regarding claims 54 and 58, however, the Examiner acknowledged that:

The applicant has provided evidence in this file showing that the invention was owned by, or subject to an obligation of assignment to, the same entity as the Swisher, *et al.* (US Pat No. 6,418,149) patent at the time this invention was made.

Accordingly, the Swisher, et al. reference is disqualified as prior art through 35 U.S.C. 102(e), (f) or (g) The applied art does not qualify as prior art under another subsection of 35 U.S.C. 102

Office Action at 20. For the same reasons, Applicants respectfully submit that Swisher, *et al.* is disqualified as 35 U.S.C. § 102(e) prior art for claims 1, 3-5, 7, 11-19, 21, 22, 29, 30, 32, 33, 47-53, and 55-57. For this reason, the Examiner's rejection of claims 1, 3-5, 7, 11-19, 21, 22, 29, 30, 32, 33, 47-53, and 55-57 under 35 U.S.C. 102(e) is overcome. *See* MPEP §706.02(b) and (f).

Rejections Under 35 U.S.C. §§ 102(b) and 103(a)

Claims 1-8, 18-25, 31, 32, and 34-47 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Eames, *et al.*, and claims 9, 10, and 26-28 stand rejected under 35 U.S.C. § 103(a) as being obvious in light of Eames, *et al.* The Examiner noted, however, that the above-captioned application repeats a substantial portion of U.S. patent application no. 09/526,100, filed March 15, 2000, which is a continuation-in-part (CIP) of, and claims the benefit under 35 U.S.C. § 120 of, U.S. patent application serial no. 09/026,036 (now abandoned), filed October 12, 1999, which was a continuing prosecution application of U.S. patent application no. 09/026,036, filed on February 19, 1998, which claimed priority to U.S. provisional patent application no. 60/038,276, filed on February 19, 1997. Office Action at 2.

By this Amendment and Response, the specification has been amended to reflect that the above-captioned application is a continuation-in-part (CIP) of, and claims the benefit under 35 U.S.C. § 120 of, co-pending U.S. patent application serial no. 09/488,275, filed January 20, 2000, which was a continuation of U.S. patent application serial no. 09/026,036 (now abandoned), filed October 12, 1999, which was a continuing prosecution application of U.S. patent application no. 09/026,036, filed on February 19, 1998, which claimed priority to U.S. provisional patent application no. 60/038,276, filed on February 19, 1997. Each of U.S. patent applications nos. 09/488,275, 09/026,036, and 60/038,276 has also been incorporated by

reference into the specification of the present application. A revised application data sheet is also submitted herewith to reflect this amendment. No new matter has been added. Applicants respectfully submit that this claim of priority eliminates Eames, *et al.*, as prior art and therefore overcomes the Examiner's rejection of claims 1-8, 18-25, 31, 32, and 34-47 under 35 U.S.C. § 102(b) and of claims 9, 10, and 26-28 under 35 U.S.C. § 103(a).

Objections to Specification

The abstract stands objected to as exceeding the 150-word limit for abstracts. Applicants respectfully submit that the abstract contains only 143 words and therefore does not exceed the 150-word limit for abstracts.

The specification stands objected to because the reference to Fig. 6 on page 18, line 29 of the specification should be to Fig. 5. By this Amendment and Response, Applicants amend the specification accordingly.

Objections to Claims

Claims 21 and 47 stand objected to as suggesting that the residential gateway, as opposed to the system comprising the residential gateway, comprises remote antennae packages. By this Amendment and Response, Applicants amend claims 21 and 47 (and claims 22-31 and claims 48 and 49 respectively dependent thereupon) to clarify that the remote antennae packages need not be part of the residential gateway itself.

Information Disclosure Statement

The Office Action notes that the Examiner has not considered, unless otherwise indicated, the references cited in the information disclosure statement filed on April 14, 2000, because the information disclosure statement did not comply with 37 C.F.R. §1.98(a)(2)(ii), and specifically because the information disclosure statement did not include a legible copy of each

U.S. and foreign patent, each publication or that portion which caused it to be listed, and all other information or that portion which caused it to be listed.

Applicants provide herewith a legible copy of each reference listed in the information disclosure statement filed on April 14, 2000, and request consideration thereof.

* * *

If the undersigned attorney can be of any assistance in advancing prosecution, please call him at (202) 662-6000.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 025684.114-US. A duplicate copy of this paper is enclosed.

Dated: May 30, 2003

Respectfully submitted,

By 

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Version Marked to Show Changes

In the Specification:

Please amend the paragraph beginning at page 18, line 28, as follows:

The RG 200 also includes a set of buses 429 used to route information within the RG 200. As illustrated in Fig. [6] 5, the set of buses 429 includes a Time Division Multiplexing (TDM) bus 420, a control bus 422, a MPEG bus 424, and an ATM bus 428.

In the Claims:

Please amend claims 21-31 and 47-49 as follows.

21. A system comprising:

the [The] residential gateway of claim 18 [and,]

[further comprising] remote antennae packages in close proximity to and coupled to televisions that are remotely located from the residential gateway,

the remote antennae packages receiving wireless signals, including channel select commands, from wireless remote control devices associated with the remotely located televisions, and modulating the wireless signals over media to the residential gateway.

22. The system [residential gateway] of claim 21, [wherein the residential gateway] further comprises[ing] a media interface device coupled to said remote control antennae packages with the media, said media interface device receiving the wireless signals and extracting the channel select commands from the wireless signals.

23. The system [residential gateway] of claim 22, wherein the media is coaxial cable and said media interface device is a coaxial interface device.

24. The system [residential gateway] of claim 22, wherein said media interface device includes a remote antennae module for receiving the wireless signal and extracting the channel select commands.

25. The system [residential gateway] of claim 22, wherein the wireless remote control devices are UHF remote control devices and the wireless signals are UHF signals.

26. The system [residential gateway] of claim 25, wherein the UHF remote control devices transmit a 433 MHz UHF signal.

27. The system [residential gateway] of claim 26, wherein said remote antennae package modulates the 433 MHz UHF signal over the media.

28. The system [residential gateway] of claim 24, wherein said remote antennae module extracts the channel select commands as a 1 KHz signal from the wireless signal.

29. The system [residential gateway] of claim 22, wherein said media interface device includes a diplexer for extracting other signals from the media or transmitting other signals over the media.

30. The system [residential gateway] of claim 29, wherein said media interface device further includes a balun for adjusting the impedance of a subset of the other signals so that the subset of the other signals can be processed by the residential gateway or can be transmitted over the media.

31. The system [residential gateway] of claim 22, wherein said media interface device is directly connected to the residential gateway.

47. A system [residential gateway] for receiving and decoding signals from a telecommunications network and transmitting the decoded signals to a plurality of devices including multiple televisions, [the residential gateway] comprising:

a residential gateway comprising

a network interface module for transmitting upstream signals, including channel select commands, to the telecommunications network and receiving downstream signals, including video signals, from the telecommunications network[;] and

a video processor for decoding the video signals into at least one television signal corresponding to at least one channel select command, and transmitting the at least one television signal to the corresponding television;

a remote antennae package located in close proximity to and connected to a remotely located television, said remote antennae package receiving a wireless signal, including a channel select command, from a wireless remote control device associated with the remotely located television and modulating the wireless signal over media; and

a media interface device connected to the media and the residential gateway for demodulating the wireless signal, extracting the portion corresponding to the channel select command, and transmitting the channel select command to the residential gateway.

48. The system [residential gateway] of claim 47, wherein said media interface device includes:

a remote antennae module for extracting the channel select commands from the wireless signal;

a splitter for splitting the at least one TV signal, so that the at least one TV signal can be provided to multiple locations;

a balun for adjusting the impedance of network signals to and from the telecommunications network so that they can be transmitted over the media; and

a diplexer for extracting from the media network signals from the telecommunications network and inserting onto the media network signals from the residential gateway.

49. The system [residential gateway] of claim 48, wherein said media interface device further includes a combiner for combining the at least one TV signal into a combined TV signal and said splitter splits the combined TV signal.